



News from

Congressman Ron Kind

REPRESENTING WISCONSIN'S THIRD
CONGRESSIONAL DISTRICT

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Kind Votes to Protect Small Business

Personal Responsibility in Food Consumption Act preserves food industry jobs

Washington, DC – U.S. Rep. Ron Kind (D-WI) voted yesterday to protect small businesses in the food service industry from civil lawsuits based on claims that the food contributed to obesity. The Personal Responsibility in Food Consumption Act (HR 339), passing with bipartisan support by a vote of 239 to 139, prohibits lawsuits in against restaurants, food manufacturers, and distributors based on obesity claims; lawsuits may still be brought against businesses who make false advertising claims, knowingly mislabel products, or serve contaminated food.

“Obesity is a serious problem in this country, and I am very concerned by its steady march to the top of the list of avoidable causes of death,” said Rep. Kind. “But I believe there should be some reasonable limitations on holding restaurant and food manufacturers responsible for individual eating habits. Without this legislation, small businesses and food industry workers are vulnerable to the crippling impact of expensive liability lawsuits.”

The food industry is the largest private-sector employer in the United States, providing jobs for more than 10 million Americans. The legislation will prevent lawsuits against restaurants, food manufacturers, and distributors that threaten to bankrupt small businesses and cost hard-working Americans their jobs.

“Like any other restaurant, we have many options on our menu,” says Galen Bowe of Culver's Frozen Custard in Onalaska. “We believe the choice belongs to the customer. This legislation is very important to me as a small business person.”

Furthermore, it is difficult to prove causation for liability purposes with obesity claim lawsuits since the condition is often attributed to many causes. Dave Holtze of Forest Hills Golf Club and Restaurant notes, “National statistics show people eat out an average of four times a week. What about the other meals, not to mention the snacks in between? Are restaurants responsible for that too?”